

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK by  
ANDREW M. CUOMO, Attorney General of the State of  
New York,

Plaintiff,

*against,*

FIRST AMERICAN CORPORATION and FIRST  
AMERICAN EAPPRAISEIT,

Defendants.

**ECF Case**

Civ. Action No.: 07-10397 (LTS)  
(HP)

Defendants The First American Corporation and eAppraiseIT, LLC (“eAppraiseIT”) (The First American Corporation and eAppraiseIT collectively, “First American”), by and through their attorneys, Thacher Proffitt & Wood LLP, respectfully submit the following pursuant to paragraph 3 of the Initial Conference Order dated November 27, 2007.

1. The only defendants in this action are The First American Corporation and eAppraiseIT who both joined in the notice of removal of this action.
2. The notice of removal was timely filed within 30 days of service of the Summons and Complaint on First American.
3. This action was removed on the basis of federal question jurisdiction, not diversity.
4. This action was removed on the basis of federal question jurisdiction, not diversity.

Respectfully submitted,

Dated: New York, New York  
December 11, 2007

THACHER PROFFITT & WOOD LLP

By: /s/ Richard F. Hans  
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